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Request for Continued Examination (RCE) Transmittal

Address to:
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Alexandria, VA 22313-1450

Application Number	10/731,878
Filing Date	12/6/05
First Named Inventor	Peng et al.
Art Unit	2878
Examiner Name	Suezu Y. Ellis
Attorney Docket Number	3051-6244US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

 a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 ii. ☐ Other _____

 b. ☑ Enclosed
 i. ☑ Amendment/Reply
 ii. ☐ Affidavit(s)/ Declaration(s)
 iii. ☐ Information Disclosure Statement (IDS)
 iv. ☐ Other _____

2. Miscellaneous
 a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 a. ☐ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.
 i. ☐ RCE fee required under 37 CFR 1.17(e)
 ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 iii. ☐ Other _____
 12/07/2005 TL0111 00000003 10731878
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 b. ☐ Check in the amount of $ _____ enclosed
 c. ☑ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	12/6/05
Name (Print/Type)	Trent Baker	Registration No.	46,534

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature			
Name (Print/Type)	Trent Baker	Date	12/6/05

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PATENT APPLICATION
Docket No.: 3051-6244US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Peng et al.	)
Serial No.:	10/731,878	) Art Unit 2878
Filed:	12/08/03	)
For:	Digital, Touchless Electrical Switch	)
Examiner:	Suezu Y. Ellis	)

REFUND REQUEST

2006 JAN 18 PM 4:29
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Alexandria, VA 22313-1450

This refund request is to request a refund in the amount of $395 which was incorrectly charged twice in connection with the above referenced application for a request for continued examination (RCE). An initial RCE was filed on 10/28/05 and a charge of $395 was placed on an American Express credit card on 11/3/05. However, the initial RCE was filed before a proper change of attorney form was filed. The Patent Examiner contacted the undersigned attorney and a second RCE was filed on 12/6/05 and a second charge of $395 was placed on the same American Express credit card on 12/9/05. It is requested that a credit be placed on the American Express credit card, a check be issued to Trent Baker, or a check issued to the law firm Baker & Associates PLLC.

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Respectfully submitted,

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